

No 312-12-1

1925.

File No. 196-25-

Previous References

No 244-22(1-5)
207-23(1-9)
298-26(1-12)
196-26(1-3)

(Courts)

Serial Nos. 4

Later references.

No 52-26(13+22)
65 19-23, 23 & 25

Preserved

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. one

Part B for April 1926

SUBJECT

Proposal to entrust the trial of cases falling under chapter XII of the criminal procedure Code to special magistrates.

G.O. No. P 5367-779 30-4-26

To Mr. Repr. Bluff Court
.. 28 of Police
.. Rev. Court.
.. Dms of Dist.

Directs that the cases falling under chapter XII of the criminal procedure Code be dealt with and disposed of by the special magistrates, exception being made in the case of the city magistrates of Bangalore and Mysore

M. S. Sengar
17/5/26

3648 / 25
p

Routine Notes

[To be used only for notes, requisitions, etc., n

1) Cans file 196-25 re
w B. Narasimha Rao Resolution
about the treat of possession
can by special magistrates
is sent herewith as desired

Am
16/3

2) To the Personal Assistant
G. Member (M.D. Camps)

Subd

3) The file has been
reordered under
orders of the Ld. Secy.

Am
17/3

476 / 16-3

N.B.—Should routine notes be written on small slips,
the notes must be copied, or slips pasted on
this form.

4) The necessary report and
may be put up on the lines
given by the Chief Com.
for an in-charge resolution
submitted for approval

25 17/3

L. L. L. L.

16/3/20
15/10/20

3648

WD 01264-GPB-40,000-17-12

App. F. III-2]

of 1925-26

General and Revenue
Secretariat

File No. 196

Serial
No.

5) *Send into a draft for app'l*

22/3/26

Am
25/3

Unleg

28
29/3

Type the draft

22/4

5/4

6/4

6) A four days as rem'd for
as per m

10/4 9/4

8/4

10/4

8/4

12/4

Send into the draft typed

21/4/26

Am
29/4

8/4

4/4

15/4 Unleg)

Draft may be app'd
12/4

8/4

5/4

28

8/4

25/4

11/4

Send into a fair draft as ordered

14/4/26

Am
14/4

Unleg)

12/4

8/4 AM

9) To be submitted for
Dewan approval also

2

12/4

10) Dewan

May 1926

LP

22/4

8/4

19/4

28

19.4

DEWAN'S OFFICE

REGD. ON 19. APR. 1926

Reg. No. 9680

627

22/4

St. Member)

22/4

8/4

22/4

28

22/4

Serial
No

4

To The Right Chief Commr.

The D. of Police

The Rev Commr.

The or Messrs & Co.

Pop 5567-77 & 30.4.26.

Directs that the cases falling under
Chapter III of the Cr. P. C. be directed with
and disposed of by the D. of Police except in
being made in the case of the City
Messrs of Bangalore & Mysore

3/5

B

11/5

Proceedings of the Govt. of H.H. the
Maharaja of Mysore.

Read:--

G.O.No.J. 4550-4600/Cts. 312-12-1

dated the 10th May 1918 directing that Asst. Commrs, Amildars and Deputy Amildars should continue to be Magistrates Ex-officio, but ceased to exercise magisterial functions in practice except such as are really executive in their nature such as those referred to in Chapters VIII to XII of the Criminal Procedure Code.

2. O.M.No.J.1156-75/Cts. 41-20-6 dated 27-8-1925 directing that cases falling under Chapters VIII to XII of the Criminal Procedure Code should be filed before the Asst. Commr. Magistrates only.

3. G.O.No.P.2939-41/Cts. 207-23-7 dated 9-12-1924 directing that cases falling under Chapters VIII to XII of the Criminal Procedure Code arising in the Kadur Taluk be tried by the Special First Class Magistrate, Chikmagalur

4. Correspondence ending with letter No. D1 Dis. 216-25-26 dated 22-2-26 from the Registrar, Chief Court, in the matter of the proposal to entrust the trial of cases falling under Chapter XII of the the Criminal Procedure Code to Special Magistrates.

Order, No.

Dated, Bangalore, 30/4/26.

On a representation made in the

Birthday Session of the Representative Assembly in 1925 that there was undue delay in the disposal of cases under chapter XII Cr.Pr.Code,

on the part of some of the Ex-officio Magistrates, Government passed orders in G.O. No.P.3034-42/Cts.298-24-12 dated 12-12-25 directing that suitable instructions should be issued by the District Magistrates to the subordinate magistracy to guard against undue delay in the disposal of these cases. Notwithstanding these instructions, Government understand that instances of inordinate delay on the part of the ex-officio magistrates in dealing with such cases are not uncommon. One of the non-official members of the Legislative Council having sent up in February 1926 a resolution for discussion in the Council, recommending that cases falling under Chapter XII of the Criminal Procedure Code may be ordered to be enquired into and disposed of by the Special First Class Magistrates instead of ^{by} the ex-officio magistrates, the Chief Court were consulted in the matter and they have expressed it as their opinion that these cases can be disposed of more expeditiously by the Special Magistrates than by the ex-officio Assistant Commissioner Magistrates except in places like the Bangalore and Mysore Cities where the work of the Special Magistrates is too heavy to enable them to deal with these cases in addition to their other work.

Government accordingly direct that the cases falling under Chapter XII of the Criminal Procedure Code be dealt with and disposed of by the Special Magistrates, exception being made in the case of the

City Magistrates of Bangalore and Mysore.

17/4

15/4

Secretary to Government,
L.L.Deptts.

To

The Registrar, Chief Court.

" I. G. of Police

" Revenue Commissioner.

" Dt. Magtes. of Dts.

N^o 85579 of 30/4/26
Copy to Mr.B.Narasinga Rao.

Bm

KNN

S. O.

1

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. P. 5567-77—Cts. 196-25-4, dated 29—30th April 1926.

Trial of cases arising under Chapter XII of the Criminal Procedure Code.

Passes orders in the matter of the — by the Special Magistrates.

READ—

Government Order No. J. 4550-4600—Cts. 312-12-1, dated the 10th May 1918, directing that Assistant Commissioners, Amildars and Deputy Amildars should continue to be Magistrates *Ex-officio*, but cease to exercise magisterial functions in practice except such as are really executive in their nature such as those referred to in Chapters VIII to XII of the Criminal Procedure Code.

2. Office Memorandum No. J. 1156-75—Cts 41-20-6, dated 27th August 1925, directing that cases falling under Chapters VIII to XII of the Criminal Procedure Code should be filed before the Assistant Commissioner Magistrates only.

3. Government Order No. P. 2939-41—Cts. 207-23-7, dated 9th December 1924, directing that cases falling under Chapters VIII to XII of the Criminal Procedure Code arising in the Kadur Taluk be tried by the Special First Class Magistrate, Chikmagalur.

4. Correspondence ending with letter No. DI. Dis. 216—25-26, dated 22nd February 1926, from the Registrar, Chief Court, in the matter of the proposal to entrust the trial of cases falling under Chapter XII of the Criminal Procedure Code to Special Magistrates.

ORDER No. P. 5567-77—Cts. 196-25-4, DATED 29—30TH APRIL 1926.

On a representation made in the Birthday Session of the Representative Assembly in 1925, that there was considerable delay in the disposal of cases under Chapter XII, Criminal Procedure Code, on the part of some of the *Ex-officio* Magistrates, Government passed orders in Government Order No. P. 3034-42—Cts. 298-24-12, dated 12th December 1925, directing that suitable instructions should be issued by the District Magistrates to the subordinate magistracy to guard against undue delay in the disposal of these cases. Notwithstanding these instructions, Government understand that instances of inordinate delay on the part of the *Ex-officio* Magistrates in dealing with such cases are not uncommon. One of the non-official members of the Legislative Council having sent up in February 1926, a resolution for discussion in the Council, recommending that cases falling under Chapter XII of the Criminal Procedure Code may be ordered to be enquired into and disposed of by the Special First Class Magistrates instead of by the *Ex-officio* Magistrates, the Chief Court were consulted in the matter and they have expressed it as their opinion that these cases can be disposed of more expeditiously by the Special Magistrates than by the *Ex-officio* Assistant Commissioner Magistrates except in places like the Bangalore and Mysore Cities where the work of the Special Magistrates is too heavy to enable them to deal with these cases in addition to their other work.

2. Government accordingly direct that the cases falling under Chapter XII of the Criminal Procedure Code be dealt with and disposed of by the Special Magistrates, exception being made in the case of the City Magistrates of Bangalore and Mysore.

B. NAGAPPA,

Secretary to Government,
Local and Legislative Departments.

To—The Registrar, Chief Court.
The Inspector-General of Police.
The Revenue Commissioner in Mysore.
The District Magistrates of Districts.

End.—P. S. R. N.